

QUESTIONS & ANSWERS
RFP PR-HQ-07-12299
Emergency and Rapid Response Services – Region I

Q1. Under RFP Section L.3, Volume I, Section III Personnel, Subsection (A) Key Personnel, will you please clarify if you are requiring current locations of key personnel? We suggest that EPA consider requesting experience of key personnel working in the New England area. This will ensure firms are simply not “locating” key personnel in the region for proposal purposes. To minimize risk, you may also want to consider requiring that the prime contractor provide the Program Manager and the four Response Managers. Finally, to clearly assess the cost and risk of mobilizing out-of-region key personnel, we suggest you consider requiring that contractors identify key personnel that will be mobilized from outside of Region 1.

A1 As stated in Section III. Personnel A) (1) the description should include a location chart delineating the total personnel by location, available for the contract. EPA will not dictate where key personnel shall be located. Offerors shall demonstrate that they can meet the requirements of the Statement of Work including all response times identified in the PWS.

Q2. Under RFP Section L.3, Volume I, Section III Personnel, Subsection (B), On-Scene Response Personnel, we suggest that EPA require locations of these staff as well as whether resources are associated with the prime contractor or team subcontractors, allowing EPA to understand which resources are located in the footprint and ensuring firms are not misrepresenting their actual resources in New England. This would also ensure EPA is gaining the responsiveness and low-cost delivery offered by local resources versus “out-of-region” resources.

A2. EPA will not dictate where On-Scene Response Personnel shall be located. Offerors shall demonstrate that they can meet the requirements of the Statement of Work including all response times identified in the SOW.

Q3. Since EPA has already indicated that team subcontractors are not allowed to respond to questions during the “pop quiz” portion of the oral presentation, we suggest that EPA eliminate team subcontractors’ participation in the oral presentation altogether. This would allow EPA to ensure “out-of-region” firms are not simply teaming with local large business subcontractors to bolster their “local” capabilities and knowledge of the area. By limiting the oral presentation to the prime contractor, which is the only firm that has privity with the government, EPA would obtain a better understanding of the prime contractor’s capabilities and local resources, minimizing cost and risk to EPA.

A3. The language regarding Oral Presentations has been revised. See revised language in the amendment..

Q4. Is it permissible for a team subcontractor to support both the SB and SDVOSB procurements? If so, how will EPA ascertain that the subcontractor is not providing the same resources to both firms, i.e., if the subcontractor is providing the same resources to both firms and both firms are awarded a contract, how will EPA assess the impact on the performance of each respective prime contractor, particularly considering the ER component of the work?

A.4 The RFP places no restrictions on whether a team subcontractor can support both the SB and SDVOSB procurements. Prime contractors must demonstrate that they can meet the requirements of the PWS. It is the responsibility of the prime contractor to demonstrate they have the capability to perform under any resulting contract.

Q5. As other ERRS RFPs have required, please consider requiring the contractor to discuss prime contractor experience working with Federal, state, and local regulatory agencies. This would allow EPA to understand the prime contractor's local experience and established relationships working with state and local agencies and first responders, enhancing on-site coordination and project efficiencies, particularly involving ER and WMD/CT scenarios.

A5. Thank you for the suggestion.

Q6. Because several firms pursuing this contract hold several ERRS contracts in other EPA regions, please consider requiring these firms to identify if any key personnel proposed for the R1 ERRS contract are currently supporting other ERRS contracts and how they would provide sufficient "prime contractor" resources to accommodate the additional capacity. This would minimize the risk to EPA of a contractor over committing resources and not being able to deliver resources to respond to critical ERRS requirements for Region 1 and ensure those contractors are effectively maintaining capacity in other regions.

A6. Thank you for the suggestion.

Q7. If a team subcontractor is pursuing the ERRS Region 1 contract as part of a team and that same team subcontractor is also currently a team subcontractor on an ongoing START contract, how will you ensure that firm avoids any potential COI, particularly involving any nationally significant incident or cross-regional support exercises?

A7. Please see the Section H clauses in the RFP in the RFP that pertain to Conflict of Interest. It is the responsibility of the contractor to certify that there is no COI. If there is COI identified, EPA will evaluate it on a case-by-case basis.

Q8. Is it permissible to use Powerpoint slides to present the responses in the oral presentation?

A8. Yes.

Q9. Section F.14 c, last paragraph states that the Response Plan must demonstrate ability to support seven (7) concurrent Task Orders. However, Section L.III, Personnel only asks for resumes of four (4) response managers. How are we to show ability to meet seven concurrent task orders when we are to submit only four response manager resumes?

A9. Submission of resumes for four response managers is a requirement under the RFP for Key Personnel. It is the responsibility of the offeror to demonstrate the ability to support seven concurrent Task Orders.

Q10. Section L.III B) (1), On Scene Personnel states "present a list of names, titles, periods of employment..." Is this list just for key personnel or for any and everyone we anticipate to work on this contract? If the latter is the case, this would mean pages of employees. If so, does this list count towards the 100 page limit?

A10. Please see the revised language the amendment. The list refers to Response Personnel and is included in the 100 page limit.

Q11. Section L.3 V) (C), Oral Presentation states “Only proposed key personnel specifically identified in the written offer, which are current full time employees of the offeror (no subcontractor employees), may participate in responding to the Pop Quiz questions. Does this restriction apply to Team Subcontractor personnel specifically listed in the proposal?

A11. Please see Q3. above.

Q12. Section E.1A, Pre-Award Documentation, requires a QMP be submitted with the proposal and a QAPP at post award. However, Section L.24 requires a QAPP be submitted with the technical proposal.

A.12

a. Which is it?

Answer: A Quality Management Plan is to be submitted with the proposal.

b. Are these plans included in the 100 page limit?

Answer: No

c. Additionally, to comply with QA/R-2 and/or R-5 these complete documents require a minimum of about 60 pages each, should this be an outline and/or overview of the QMP/QAPP if included in page limit?

Answer: It is not included in the 100 page limit.

Q13. Section J, Attachment 6, Labor Determination states it will be distributed at award. This determination is required for pricing. Please provide.

A13 This determination is now posted as a separate attachment.

Q14. Section L.3 II C) (1), Response Plan, Cost Control, and Section L.3 IV, Contract Management, paragraphs 6 & 7 have the same wording and requirement. Which section do you want us to address the requirements?

A14. The requirement will remain in Section L.3 II C (1). The requirement will be deleted from Section L.3.IV, Contract Management.

Q15. Attachment 1, Performance Work Statement, Exhibit A, Key Personnel Qualifications, requires the Program Safety Officer to be a CIH with five (5) years of field experience. Would you consider allowing an IH with 10+ years experience to perform the same function?

A15. The requirement for key personnel remains the same.

Q16. Performance Work Scope details qualifications for two levels of Response Manager, however the pricing schedule only allows for one level, please clarify.

A16. Please see revised Pricing Schedule.

Q17. Does the COI Plan count in the 100 page limit?

A17. Yes

Q18. Section L.V.F, Scenarios and Pop Quiz, are we understand that only 6 personnel are allowed at the presentation?

A18. Please see Q.3 above.

Q19. Attachment 1, Exhibit A – Key Personnel.2.Response Manager. Question: Do we create a blended rate for RM I,II? or should the estimated direct labor hours be pro-rated and how?

A19. See Q.16.

Q20. Section L, page 19, Section II, paragraph I, General – Question: Please clarify the contract award periods and how it relates to the option years and option increments? How should the (5) option increments at an increase of 10% be accounted for?

A20. The Base Period and Award Term Periods are set forth in Clause H. 9 – Award Term Incentive Plan. There are five quantity options which can be exercised each year. Each quantity option represents 10% of the contract year value. If all five quantity options are exercised in a contract year, the total dollar value would be 150% of the contract year base amount.

Q21. The RFP does not have SCA wages defined as needed to propose rates in the cost proposal. Traditionally ERRS uses the nationwide SCA wage determination 1996-0223 rev. Is this the proper wage determination for this contract?

A21. The SCA wage determination is now posted as a separate attachment.

Q22. How will the contractor establish DBA rates for construction activities within the proposal?

A22. The On-Scene Coordinator will recommend if DBA rates are applicable and the PO/ACO will review. A DBA Wage Determination schedule will be an attachment to any resulting contract which will be the basis for DBA rates.

Q23. It appears that there is a typo in subcontract costs in year 2 of the pricing schedule. Is the listed value of \$445K and supposed to be \$4.45M? This would make it consistent with the rest of the schedule.

A23. The correct amount of \$4,165,875.00 `is now included in the revised Pricing Schedule.

Q24. It can be interpreted from Section H.52 RFP language that DBA rates as billed by the contractor to EPA may not be allowed to include application of overhead, G&A and profit. As

result DBA work would be billed below company cost. DBA buildups should be allowed to have the same buildups as SCA wages with application of overhead, G&A and fee. Can this language please be reviewed and changed?

A24. Language will be reviewed.

Q25. There is conflicting language within the RFP in regards to the billing of 3rd party rental equipment. If bidders propose an equipment rate within the defined CLIN equipment table in the cost proposal, does that rate apply regardless of the source of the equipment or does that rate only apply to team owned equipment, with rental equipment being passed through at cost?

A25. Rental equipment will be reimbursed at cost.

Q26. Do the equipment CLIN rates, as bid, become rental caps for rental equipment?

A26. Yes. In unusual circumstances the CO may determine that a higher rate is appropriate.

Q27. Referencing clause H.66 on page H-59. The last sentence states that mobilization cost are included in the fully loaded labor rates. We are unclear of the intent. Is EPA stating that only labor can be charged for mobilization and not equipment? Can ODC's for mobilizing materials, equipment and personnel be charged?

A27. The clause has been revised.

Q28. Clause L.8 (Page L-32) – Is the “a cost reimbursement portion” referenced refer to the treatment of ODCs under this contract or does EPA see other cost reimbursement functions under this contract?

A28. The cost reimbursement portion refers to those items in the RFP which have a RFP specified dollar amount. They include subcontracts, travel and Other Direct Costs.

Q29. Referencing page limitations. Can 11x17 ‘foldouts’ be used as long as they are printed single sided and counted as two pages?

A29. Yes.

Q30. Within Section L.I Experience (page L-6), bidders are requested to submit five specific projects. Projects are then defined as site specific contracts, task orders, work assignments etc. If bidders have applicable multiple task order contracts that match the scope of work, can bidders submit these contracts as projects?

Q30. No. The requirement is for five (5) separate projects.

Q31. Are the five projects requested in Section L.I Experience limited to specific projects and task orders within multiple task order contracts, or can bidders submit summaries of a multiple task order contract as a ‘project’?

A31. See Q.30.

Q32. Referencing Section L. Proposal Section II Response Plan (page L-7). The opening paragraph instructs bidders to submit a 'Response Plan' as per Section F. Following the opening paragraph in Section L II Response Plan, bidders are instructed to provide four main sections in their proposals: A. Resource Management; B. Quality Assurance; C. Cost Control; and D. Regulatory Compliance.

Much of the same basic information within Resource Management section is asked for in the 'Response Plan'. Can the 'Response Plan' be cross referenced in Section A or does the EPA wish the materials to be provided redundantly?

A32. Please provide the information that is asked for in each section. The Response Plan can be cross-referenced.

Q33. Referencing Section L. Referencing Section L. II Response Plan (page L-7). II Response Plan (page L-7). Section L.3 instructs bidders to write their technical proposals following the format of the evaluation criteria in Section M. Section M defines Section II Response Plan as consisting of the four sections, A-D, with no reference to the requested 'Response Plan'. Is the Response Plan being evaluated as part of the proposal?

A33. Yes.

Q34. Referencing Section L. Proposal Section II Response Plan (page L-7).Section C.1 (Cost Controls) of the Response Plan Section requests discussions of the bidders cost accounting and cost control techniques. This involves a very detailed and lengthy discussion. The same language requesting the same information is used in Section IV Contract Management Ability (page L-11 and L.-12). Can proposal text addressing Section IV redundant language contain cross references to the first discussion in Section II?

A34. See Q.14. above.

Q35. Referencing Section V. Oral Presentation to the Government. Please confirm that the prime and only the prime (no team subs) can participate in the pop quiz.

A35. Please see Q.3. above.

Q36. Referencing Proposal Section V, Oral Presentation. Written Scenario

- Page L-13 bottom paragraph requires offerors to provide a '*written synopsis*' of their proposed response actions. This synopsis is to demonstrate our technical ability and is to be provided with the proposal.
- The next paragraph (Page L-14) requests a '*proposed work plan*', with detailed directions on what needs to be in the proposed work plan.

- Page L-16 requests a ‘*written response*’, (*not to exceed 10 pages*) composed of five elements, one of which is a ‘*site specific work plan*’.
- Following the above mentioned five element ‘*written response*’ Page L-16 then requests a concise written explanation of seven additional items.
- Can EPA clarify exactly what format is to be used in the written scenario? What the page limitation is for the scenario? What can be sent in support of the scenario outside the page limitation?

A36. The information has been revised. Please see the revised language in the amendment.

Q37. Can team subcontractors be passed through as ODCs with markup?

A37. No.

Q38. Page B-11 has a table that is to be filled out for safety and office equipment. The instructions state that bidders are only to provide rates if the equipment items are treated as indirect costs within our accounting system. Directions further state that if the items are a direct charge, the rates should not be provided. We believe EPA wants the bidders to provide the rates if the defined equipment is treated as a direct charge within their accounting system (if its treated as an indirect charge the contractors are recouping the costs in their overhead applications). Could EPA please clarify.

A38. The language has been revised.

Q39. Where is the table on page B-11 go in the proposal?

A39. Please submit the table exactly where it is.

Q40. Please clarify who may participate in pop quizzes within the disable veteran set-aside. RFP language prohibits team subs from participating in the pop quiz. However if a disabled veteran owned firm formed a joint venture with another firm, members of both the SDVOB and the other firm may participate in the pop quiz. I believe this is biased and creates an unfair advantage to joint ventures over SDVOB’s who are entered into a simple ‘prime –sub’ contract arrangement. Can EPA either allow team subs to participate in the pop quiz, or limit the pop quiz participation to only employees of the SDVOB component of a JV?

A40. Please see Q.3 above.

Q41. The RFP states on page L-13 that only key personnel as submitted in the written proposal shall make the oral presentation. It also says that only full time employees of the offeror may participate in the pop quiz. Does that mean that team subcontractor personnel proposed in key roles must leave during the pop quiz?

A41 Please see Q.3 above.

Q42. The RFP limits the number of key personnel resumes. The RFP states that only key personnel, as proposed in the written proposal, are eligible to participate in the oral presentations. If other key personnel are proposed as key personnel, but are not submitted as a resume, are they eligible to participate in the oral presentations? Is there a cap on the number of representatives allowed in the oral presentations?

A42. The question is unclear. What is meant by “if other key personnel are proposed as key personnel”? Key Personnel are just that and are listed in the Section H. Clause – Key Personnel.

Q43. Can power point presentations be used in lieu of transparencies in the scenario presentation?

A43. Power point presentations are permitted.

Q44. Based on Section M.4, Evaluation of Conflict of Interest Plan, we are uncertain whether a COI Plan is required with proposal submittal or only submitted after selection and prior to contract award. Would you please clarify if we need to submit a COI Plan with the proposal? If required with the proposal, is it excluded from the page count?

A44. A COI Plan is required with proposal submittal and is counted in the page limit.

Q45. It is required to provide a CD-ROM with an electronic version of the cost proposal...does this same requirement apply to the technical proposal or are you just requiring the written portion and no electronic copy for the technical proposal?

A45. No electronic copy is required for the written proposal.

Q46. EPA has indicated that the type size should be 10 pitch or 10CPI...are we allowed to use a 10-point or 11-point size type with a standard typeface such as Times New Roman to satisfy this requirement?

A46. No.

Q47. Are we allowed to use smaller “make it fit” (i.e., 8 or 9 point type) for tables, graphics, etc.?

A47. No.

Q48. Under RFP Section L.3, Volume I, Section I (Experience), the list of five projects required are requested at the beginning of this section and do not fall under either the Technical or Management Experience subsections...where/how will these projects be evaluated?

A48. Please include these projects under the Technical Experience.

Q49. Identical requirements are listed under both Volume I, Section IIA(2) Resource Management (page L-8) and under the second paragraph of Volume I, Section IV Contract Management Ability (page L-11)...”The offeror shall describe the management structure for

controlling all work and coordinating activities with EPA. An example shall be presented....” Is it your intent for the contractor to respond to these identical requirements? If so, can you provide some insight as to how the response should be tailored to satisfy the respective sections?

A49. The requirement has been removed from the Resource Management section.

Q50. Identical requirements are listed under both Volume I, Section IIC(1) Cost Control (page L-9) and under the sixth, seventh, and eighth paragraphs of Volume I, Section IV Contract Management Ability (page L-11, 12)...”The offeror shall present a detailed discussion of cost accounting and cost control techniques to be used during all phases of operation. The offeror shall provide details regarding monthly billing cycles, accuracy of cost projections on completed projects, and ad hoc-cost tracking capability. The offeror shall describe how it estimates costs during the development of work plans....” Is it your intent for the contractor to respond to these identical requirements? If so, can you provide some insight as to how the response should be tailored to satisfy the respective sections?

A50. Please see Q. 14

Q51. RFP Section L.3, Volume I, Section VI (Past Performance) requires that “Offerors submit the information requested below as part of their proposal for both the offeror any proposed subcontractors....” Does EPA want this information, i.e., “list of all or at least five contracts and subcontractors completed in the last three years...” for both the prime and each subcontractor, i.e., at least five contracts and subcontracts for each team member or a total of at least five for the team combined?

A51. Please submit a total of five combined.

Q52. Page L-20, Section II, Item II a. requires offerors to submit tables per FAR Table 15.2 as well as a completed SF 1411. Can the 1411 be eliminated since the FAR 15.2 table includes the same information?

A52. Yes.

Q53. Are we to include in the total pricing the base contract plus award terms plus the five option increments? This is shown on page L-19 Item I General.

A53. Yes.

Q54. In section B, page B-6 there is a list of equipment that can be charged as direct if they are not included in the companies indirect cost. On Page B-8, the instructions indicate daily rates are to be provided for the list. On the same page under “Miscellaneous Personal Items” it states “In addition to the above list the following are not direct billable under this contract” Is the list of equipment identified on pages B-6 through B-8 direct billable on a daily rate?

A54. The list in this section contains examples of items that the Agency anticipates to be required to perform the services required and therefore should be included in the contractor’s inventory. The contractor shall not direct charge any items, including those listed that are included in the offerors indirect cost structure. The items that the agency has identified as historically billable on that list are included on the table in that section. Daily rates are requested for those items. If items beyond that list are billable the offeror shall provide a table of the items

and a cost basis that is consistent with the offeror's standard commercial practices. If that is not provided the Agency assumes that these costs are part of the fixed rate.

Q55. Attachment J-2 (shows labor categories and hours) appears to be missing some items. Is there a revision to this attachment?

A55. Please see the revised Section J Attachment - Pricing Schedule.

Q56. In the second paragraph of Section V(C), Oral Presentation (Page L-12), it states that the "...offeror will be given one hour (60 minutes) to prepare a response and one hour (60 minutes) to provide a response to a second written scenario which will be provided..." Within the actual agenda, it indicates that the offeror will only be given 40 minutes to prepare for scenario #2 and 20 minutes to respond to scenario #2. Can you clarify preparation and response times for the second scenario in the oral presentation?

A56. The language has been revised.

Q57. Are we allowed to describe multiple task orders that have been completed in the last three years under an ID/IQ multi-site contract as a single "project" in response to Volume I, Experience section (page L-6)? This would allow EPA to obtain more insight as to the prime contractor's experience in managing multiple, concurrent task orders across widely dispersed geographic locations, i.e., ID/IQ contract, and still convey the technical aspects of projects

A57. See Q.30 and Q31.

Q58. Section B.2.III Other Direct Cost, time/cost associated with training – Will non-contract specified training that is required on a site-specific basis be considered as a direct charge to the government (level A exercises with EPA, Lead Awareness, asbestos worker, confined space, etc.)?

A58. Under unique circumstances site specific training could potentially be required and will be identified in the TO statement of work. The examples of training provided do not appear to meet that unique-to-site criteria. The RFP requirement is that the contractor shall provide qualified personnel to perform work as of the date of contract award.

The Performance Work Statement anticipates that the ERRS contractor will participate in emergency response exercises to enhance regional response. If Level A exercise participation is required a Task Order will be issued to the contractor under which the contractor will be required to provide fully qualified Level A personnel.

Q59. Attachment 1, Exhibit B Personnel Minimum Qualifications -Laborer (40-hour) trained – the 40-hour trained laborer qualifications include the ability to operate a uniloaders. A uniloaders is described in 29 CFR 1910.178 as a powered industrial truck. The standard also describes training required to operate the equipment. Should this training cost be associated with this labor category or is it more appropriate to assume that equipment operators will operate uniloaders and other powered industrial trucks?

A59. It is up to the contractor to make that decision. A variety of OSHA required trainings are required of laborers and other field personnel to be qualified to perform work anticipated by the

Performance Work Statement. Operating a uniloaders is an example of the type of work that the Agency anticipates that a laborer would be qualified to do. If the contractor chooses to permit only equipment operators to run uniloaders that is their choice, however, the rate of reimbursement for that activity will be limited to the laborer rate (please refer to B.2 “FIXED RATES FOR LABOR, EQUIPMENT AND OTHER ITEMS” Section I(f)).

Q60. Attachment 1, Exhibit A identifies two levels of Response Managers (RM), but attachment 2 only asks for one rate for RMs. Should a blended rate be proposed?

A60. See Q.16 above.

Q61. Attachment 2, CLIN 117 identifies an Industrial Hygienist/Safety Officer. Does this category map to the qualifications in attachment 1 for a certified industrial hygienist?

A61. No. Please refer to Site Safety Officer/Industrial Hygienist Qualifications.

Q62. Please identify personnel descriptions that are subject to SCA wage determinations and their corresponding SCA categories to ensure that CLIN labor rates map to the proper SCA description. Also, please provide the relevant SCA wage determination to establish minimum base costs for applicable personnel categories.

A62. The SCA wage determination is attached.

Q63. Are the engineer personnel categories in the schedule (CLINs 112-115) required to be professional engineers? Are they required to have certifications (LEED AP, for example)?

A63. No, however there may be instances when the offeror will be required to provide an engineer/engineers with professional certifications in a timely fashion who will be responsible for providing certified drawings and specifications.

Q64. Section L, Part V., Section C. Presentation Format. The government states “Only proposed key personnel specifically identified in the written offer, who are current full time employees of the offeror (no subcontractor employees) may participate in responding to the Pop Quiz questions.” -- If the offering team is comprised of a prime and team subcontractors, will persons from the team subcontractor company(s) be allowed to participate in responding to the Pop Quiz questions?

A64. See Q3. above.

Q65. The RFP makes reference to the QMP and Programmatic Quality Assurance Project Plan for the entire program (contract) on pages E-1, E-2, F-4, L-8 (with reference to QA program plan on top of L-9) Should this read Quality Program Plan?

A65. Yes . The language has been revised .

Q66. Section L.24 (page L-39) makes reference to Quality Assurance Program Plan as a separate and identifiable part of the technical proposal: Is this part of the 100 pages? Should this read Programmatic Quality Assurance Project Plan since the only other reference to QA Program Plan is in L-8?

A66. No. QAPP is required. Clause L.24. has been deleted.

Q67. Is it EPA Region 1's intention to institute the UFP QAPP format for submission with the proposal or should the contractor tailor the QAPP to match the format as presented on the EPA Region 1 website?

A67. The QAPP is not required as part of the proposal, the QMP is to be submitted with the proposal. Region 1 uses QA/R-2 as guidance for developing a QMP, which is required with proposals and QA/R-5 QAPP Guidance for the Program QAPP submission after award.